

REMARKS**Rejection Under 35 U.S.C. §103**

The Applicant withdrew claims 5-61 in response to the constructive election of claims 1-4.

The Examiner has rejected claims 1-4 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,687,939 (the '939 patent). Favorable reconsideration thereof is requested in light of the following.

Claim 1 recites a modular display system having a first support arm to which a second support arm and a third support arm are secured. The third support arm may be readily detached from the first support arm. Advantageously, and as claimed, this results in a display system that may be modularly configured as either a two panel display system or as a three panel or greater display system.

In contrast, the '939 patent neither teaches a third support arm nor an arm that is intended to be readily detached from the first support arm to enable the display system to be modularly configured.

The Examiner states that it would have been obvious "...to provide a third support arm analogous to the second support arm (18) in order to support additional LCD panels, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8." However, the applicant respectfully submits that the third support arm recited in claim 1 of the instant reissue application is neither analogous to, nor a duplication of, the arm 18 taught in the '939 patent.

In particular, mere duplication of the arm taught in the '939 patent would result in another arm that is not readily detachable from the upright 20 to enable the display system to be

modularly configured. Contrary to the presently claimed invention, Figures 1-4 and 7 of the ‘939 patent discloses that the arm 18 is bolted to the upright 20 in such a way that it is not readily detachable. In particular, the specification teaches “...a bolt 38 that fastens to the projection 32.” (*see* col. 3, lines 39-40) Thus, duplicating this arm of the ‘939 patent would result in a third arm that is not readily detachable to enable the system to be modularly configured. In other words, the particular locking arrangement disclosed in the ‘939 patent prevents a third arm from being readily detachable from the first support arm to enable the display system to be modularly configured. Accordingly, a mere duplication of the horizontal arm of the ‘939 patent would not provide a third arm that includes the limitations of the third arm recited in claim 1 of the instant application.

For these reasons, the applicant requests that the Examiner withdraw the obviousness rejection of claim 1.

Claims 2-4 depend from claim 1, which the applicant submits is allowable. Therefore, favorable reconsideration of these claims is also requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

CONCLUSION

In view of the above amendment and remarks, applicant believes the pending application is in condition for allowance.

Applicant believes no additional fee is due with this statement beyond that which has been submitted herewith. However, if an additional fee is due, please charge our Deposit Account No. 12-0080, under Order No. BEW-007REI from which the undersigned is authorized to draw.

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Respectfully submitted,


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